

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**Case No. 8:03-cr-77-T-30TBM**

**SAMEEH HAMMOUDEH,**

**Defendant.**

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**ORDER**

THIS CAUSE is before the court on **Defendant Sameeh Hamoudeh's** (sic) **Ex Parte Motion for Allocation of Funds Under Criminal Justice Act for Scanning of Discovery Documents and Memorandum of Law** (Doc. 559). By this motion, the Defendant seeks an order of the court authorizing the payment of at least \$14,750.00 as his pro rata share of the costs of scanning and storage of voluminous discovery documents and intercepted wire communications by a private vendor. Although the Defendant is presently represented by retained counsel, he avers that he is currently unable to pay these costs on his own. The court file reflects that upon his arrest, the Defendant was determined to be indigent and provided counsel pursuant to the Criminal Justice Act, 18 U.S.C. § 3006A. Not long thereafter however, the Defendant retained private counsel who presently presents the motion. Although the motion assures the court that the Defendant is without the financial wherewithal to fund the costs sought by this motion, there is no supporting documentation and the circumstances of his retaining experienced counsel for a complex and lengthy litigation suggest otherwise. Accordingly, the motion is **DENIED** without prejudice. As previously indicated by

the court, should the Defendant wish to seek assistance pursuant to the Criminal Justice Act he must again establish the appropriateness of such assistance. In addition to requiring proof of his indigence, the court is obliged to require that the Defendant disclose his fee arrangement with Mr. Bernstein, Esquire so that the matter may be properly and fully considered. Any such matters presented to the court may be filed *in camera* and *ex parte*.

**Done and Ordered** in Tampa, Florida, this 13th day of July 2004.



THOMAS B. McCOUN III  
UNITED STATES MAGISTRATE JUDGE

Copy furnished to:

Stephen Bernstein